

DEFENDANT'S EXHIBITS M - P

BRONX SUPREME COURT
CRIMINAL DIVISION

PEOPLE OF THE STATE OF NEW YORK

v.

STATE OF NEW YORK

RAUL BORBON M/38

COUNTY OF THE BRONX

Defendant

PO KURT MAIER of '46 PCT, Shield# ~~XXXX~~, states that on or about May 18, 07 at approximately 11:10 PM at 2244 CRESTON AVENUE APT 6B, County of the Bronx, State of New York,

THE DEFENDANT COMMITTED THE OFFENSES OF:

- | | |
|-----------------------|--|
| (F) P.L. 221.30 | Criminal Possession of Marihuana 1^ |
| (F) P.L. 221.25 | Criminal Possession of Marihuana 2^ |
| (F) P.L. 265.02(3) | Criminal Possession of a Weapon 3^ (DQO) |
| (F) P.L. 221.20 | Criminal Possession of Marihuana 3^ |
| (M) P.L. 220.50(3) | Criminally Using Drug Paraphernalia 2^ |
| (M) P.L. 265.01(1) | Criminal Possession of a Weapon 4^ |
| (M) A.C. 10-131(b) | Firearms |
| (M) A.C. 10-131(i)(3) | Possession of Ammunition |

THAT THE DEFENDANT DID: knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing marihuana and the preparations, compounds, mixtures or substances are of an aggregate weight of more than ten pounds.; knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing marihuana and the preparations, compounds, mixtures or substances are of an aggregate weight of more than sixteen ounces.; knowingly possess a machine-gun, firearm, rifle or shotgun which had been defaced for the purpose of concealment or prevention of the detection of a crime or misrepresenting the identity of that weapon; knowingly and unlawfully possess one or more preparations, compounds, mixtures or substances containing marihuana and the preparations, compounds, mixtures or substances are of an aggregate weight of more than eight ounces.; knowingly and unlawfully possess or sell scales or balances used or designed for the purpose of weighing or measuring controlled substances under circumstances evincing knowledge that these items were used or were intended to be used for the purpose of unlawfully manufacturing, packaging or dispensing any narcotic drug or stimulant; knowingly and unlawfully possess any firearm, electronic dart gun, electronic stun gun, gravity knife, switchblade knife, pilum ballistic knife, metal knuckle knife, cane sword, billy, black jack, bludgeon, metal knuckles, hucka stick, sand bag, sandclub, wrist-brace type slingshot or slungshot, birken or "Kung Fu star".; sell, offer to sell or have in his possession any air pistol or air rifle or similar instrument in which the propelling force is a spring or air. and not being authorized to possess a pistol or revolver within the City of New York to possess pistol or revolver ammunition provided that a dealer in rifles and shotguns may possess such ammunition.

M



THE GROUNDS FOR THE DEPONENT'S BELIEF ARE AS FOLLOWS:

Deponent states that, at the above time and place, defendant's apartment, deponent observed the defendant to have in his custody and control, in the defendant's bedroom, one hundred and sixty-six (166) marijuana plants, six (6) white bell lighting technologies lamps, six (6) electronic ballast, one large bunch of mylar planting holders and two (2) duct fans.

Deponent further states that based on his training and experience in the recognition of marijuana the above mentioned plants are alleged and believed to be marijuana.

Deponent further states that the defendant had in his custody and control, inside the defendant's living room, two (2) garden sheers, one (1) large bunch of mylar planting holders and one (1) large zip lock bag containing smaller zip lock bags.

Deponent further states that the defendant had in his custody and control, in the foyer of defendant's apartment, one (1) electronic scale, nine (9) instructional books for growing marijuana and seven (7) large bags of Miracle grow.

Deponent further stated that the defendant had in his custody and control, in the hallway closet, one (1) .22 Caliber Beretta loaded with (6) .22 caliber live rounds (each round is a metal casing topped with a metal projectile) and one (1) firearm cleaning kit.

Deponent further states that said firearm was also defaced in that the serial number on said firearm was filed off.

Deponent further states that the defendant stated in sum and substance: I LIVE HERE. MY NAME IS RAUL BORBON. THERE ARE 166 PLANTS OFFICER.

FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE
AS A CLASS A MISDEMEANOR PURSUANT TO P.L. 210.45

5/19/07 2:00
DATE and TIME

SIGNATURE



BRONX SUPREME COURT
CRIMINAL DIVISION

THE PEOPLE OF THE STATE OF NEW YORK

v.

1. JOHANS SANTANA M/33

Defendant

STATE OF NEW YORK

COUNTY OF THE BRONX

2007BX031691



PO KURT MAIER of 46 PCT, Shield# 01218, states that on or about May 18, 2007 at approximately 11:00 PM at INSIDE OF 2244 CRESTON AVENUE, County of the Bronx, State of New York,

THE DEFENDANT COMMITTED THE OFFENSE OF:

1 (M) P.L. 140.15

Criminal Trespass 2^

IN THAT THE DEFENDANT DID: knowingly enter or remain unlawfully in a dwelling.

THE GROUNDS FOR THE DEPONENT'S BELIEF ARE AS FOLLOWS:

Deponent states that, at the above time and place, an apartment building, deponent observed the defendant enter and exit the above mentioned location which is beyond any public vestibule.

Deponent further states that said dwelling has locked entrance door(s) and conspicuously posted signs stating no trespassing, tenant and their guests only and OPERATION CLEAN HALLS NO TRESPASSING at the above mentioned location.

Deponent further states that the defendant's residence address is 645 Westchester Avenue, Bronx NY.

Deponent further states that the defendant stated in substance he was there to visit a friend in apt. 6B. Deponent went to said apt. 6B, which was occupied, but deponent could not locate anyone inside said apartment who could verify defendant's reason for being inside the dwelling.

Deponent further states that he has reviewed a notarized Clean Halls affidavit signed by Hector Medero owner/managing agent of said location which is on file with the N.Y.C. Police Department and said affidavit states that only tenants and their invited guests are permitted inside of the above dwelling.

N



Deponent further states that said affidavit requests that the N.Y.C. Police Department enter and arrest any individual inside said dwelling who is not a tenant or invitee.

FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE
AS A CLASS A MISDEMEANOR PURSUANT TO P.L. 210.45

5/19/07 2200
DATE and TIME


SIGNATURE





Page:
Billing Cycle Date:
Account Number:

91 of 104
05/15/07 - 06/14/07
00884868-001-42



Call Detail (Continued)

917-689-1710

User Name: RAUL BORBON

Rate Code: FA24=FT9NATP3000RUMMUNW

Rate Period (Pd.): P=Peak; N=Nights; W=Weekends

Call To: ** = International Call Terminated To Mobile

Feature: 1=PTT One-to-One event; A=Alternate Line; B=Direct Asst Call Complete; C=Call Waiting;

d=Directory Assistance Call; D=Data Call; E=Extended Local Area; F=Call Forwarding; g=PTT Group event; G=2-N-1 Call;

H=Group Mobile to Mobile Call; I=Incoming Call; K=Fax Call; L=Expanded Calling; M=Mobile to Mobile; N=Off-Network;

O=Auto Dropped Call Credit; P=Priority Access Service; V=V-VPN; R=Convert to Home; S=Shared Minutes;

T=Three Way Calling; v=Voice Activated Dialing; W=Weekends; X=Fax Mailbox; Y=VoiceMail Return Call

Item	Day	Date	Time	CL	Number Called	Call To	Min	Rate Code	Rate Pd	Feature	Airtime Charge	LD DA	Total Charge
62		05/18	08:40PM	NY	212-795-8671	INCOMI CL	1	FA24	W	IWS			0.00
63		05/18	08:48PM	NY	846-712-9586	INCOMI CL	2	FA24	W	IWS			0.00
64		05/18	09:15PM	NY	347-621-5279	INCOMI CL	3	FA24	W	IWS			0.00
65		05/18	09:19PM	NY	850-398-1200	CRESTV FL	2	FA24	W	WS			0.00
66		05/18	09:32PM	NY	846-712-9586	INCOMI CL	2	FA24	W	IWS			0.00
67		05/18	09:34PM	NY	212-568-2595	NEW YO NY	2	FA24	W	WS			0.00
68		05/18	09:35PM	NY	212-928-8365	NEW YO NY	2	FA24	W	WS			0.00
69		05/18	10:03PM	NY	917-689-1710	VMAIL CL	2	FA24	W	WS			0.00
70		05/18	10:47PM	NY	347-572-2432	QUEENS NY	2	FA24	W	WS			0.00
71	Tue	05/22	10:48PM	NY	917-689-1710	VMAIL CL	1	FA24	N	WS			0.00
72	Wed	05/23	12:06AM	NY	347-572-2432	QUEENS NY	8	FA24	N	WS			0.00
73		05/23	12:27AM	NY	347-621-5279	INCOMI CL	17	FA24	N	IWS			0.00
74		05/23	01:40PM	NY	212-795-8671	NEW YO NY	1	FA24	P	S			0.00
75		05/23	03:26PM	NY	212-569-9377	INCOMI CL	1	FA24	P	IS			0.00
76		05/23	03:36PM	NY	212-569-9377	NEW YO NY	5	FA24	P	S			0.00
77		05/23	03:41PM	NY	212-732-0002	NEW YO NY	3	FA24	P	S			0.00
78		05/23	04:39PM	NY	917-689-1710	VMAIL CL	1	FA24	P	MS			0.00
79		05/23	04:40PM	NY	917-689-1710	VMAIL CL	2	FA24	P	MS			0.00
80		05/23	04:41PM	NY	212-732-0002	NEW YO NY	2	FA24	P	S			0.00
81		05/23	04:52PM	NY	212-293-7853	INCOMI CL	4	FA24	P	IS			0.00
82		05/23	04:56PM	NY	212-795-8671	INCOMI CL	5	FA24	P	IS			0.00
83		05/23	07:13PM	NY	212-569-9377	NEW YO NY	1	FA24	N	WS			0.00
84		05/23	08:31PM	NY	212-942-1273	INCOMI CL	2	FA24	N	IWS			0.00
85		05/23	10:16PM	NY	850-398-1200	CRESTV FL	1	FA24	N	WS			0.00
86		05/23	10:17PM	NY	201-674-3259	HACKEN NJ	13	FA24	N	WS			0.00
87		05/23	10:30PM	NY	718-317-7188	STN IS NY	3	FA24	N	WS			0.00
88		05/23	10:31PM	NY	201-845-3030	INCOMI CL	42	FA24	N	ICWS			0.00
89		05/23	11:13PM	NY	212-569-9377	NEW YO NY	3	FA24	N	WS			0.00
90		05/23	11:15PM	NY	718-317-7188	STN IS NY	43	FA24	N	WS			0.00
91		05/23	11:58PM	NY	212-569-9377	NEW YO NY	4	FA24	N	WS			0.00
92	Thu	05/24	12:03AM	NY	413-717-0338	GREAT MA	1	FA24	N	WS			0.00
93		05/24	12:03AM	NY	413-717-0338	GREAT MA	1	FA24	N	WS			0.00
94		05/24	12:05AM	NY	800-565-1256	800 SE CL	5	FA24	N	WS			0.00
95		05/24	12:10AM	NY	817-914-1098	ARLING TX	2	FA24	N	WS			0.00
96		05/24	12:11AM	NY	413-717-1137	GREAT MA	2	FA24	N	WS			0.00
97		05/24	12:17AM	NY	917-689-1710	VMAIL CL	3	FA24	N	WS			0.00
98		05/24	12:19AM	NY	212-568-9899	NEW YO NY	2	FA24	N	WS			0.00
99		05/24	12:21AM	NY	212-569-9377	NEW YO NY	4	FA24	N	WS			0.00
100		05/24	01:10AM	NY	000-000-0411	DA Call	1	FA24	N	WS		1.79	1.79
101		05/24	01:12AM	NY	800-936-9935	800 SE CL	2	FA24	N	WS			0.00
102		05/24	06:32AM	NY	850-398-1200	CRESTV FL	1	FA24	N	WS			0.00
103		05/24	07:59AM	NY	850-398-1200	INCOMI CL	11	FA24	P	IWS			0.00
104		05/24	08:10AM	NY	212-569-9377	INCOMI CL	6	FA24	P	IS			0.00
105		05/24	08:27AM	NY	917-689-1710	VMAIL CL	1	FA24	P	MS			0.00
106		05/24	09:05AM	NY	212-928-8365	NEW YO NY	1	FA24	P	S			0.00

DEFENDANT'S
EXHIBIT

tabbles



